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Attorneys for Plaintiff
Asiyah Abdulrahman

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ASIYAH ABDULRAHMAN,

Plaintiff,

vs.

NANCY A. BERRYHILL, Acting
Commissioner of Social Security,

Defendant.

Case No.: 2:15-cv-01520-JAD-GWF

**Stipulation and Order
Awarding Attorney Fees,
Expenses, and Costs**

[ECF No. 25]

TO THE HONORABLE GEORGE FOLEY, MAGISTRATE JUDGE OF
THE DISTRICT COURT:

IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel, subject to the approval of the Court, that Asiyah Abdulrahman be awarded attorney fees in the amount of two thousand four hundred forty four dollars and seventy four cents (\$2,444.74) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), and costs under 28 U.S.C. § 1920. This amount represents compensation for all legal services rendered on

1 behalf of Plaintiff by counsel in connection with this civil action, in accordance
2 with 28 U.S.C. §§ 1920; 2412(d).

3 After the Court issues an order for EAJA fees to Asiyah Abdulrahman, the
4 government will consider the matter of Asiyah Abdulrahman's assignment of
5 EAJA fees to Cyrus Safa. The retainer agreement containing the assignment is
6 attached as exhibit 1. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2529 (2010),
7 the ability to honor the assignment will depend on whether the fees are subject to
8 any offset allowed under the United States Department of the Treasury's Offset
9 Program. After the order for EAJA fees is entered, the government will determine
10 whether they are subject to any offset.

11 Fees shall be made payable to Asiyah Abdulrahman, but if the Department
12 of the Treasury determines that Asiyah Abdulrahman does not owe a federal debt,
13 then the government shall cause the payment of fees, expenses and costs to be
14 made directly to Law Offices of Lawrence D. Rohlfing, pursuant to the assignment
15 executed by Asiyah Abdulrahman.¹ Any payments made shall be delivered to
16 Cyrus Safa.

17 This stipulation constitutes a compromise settlement of Asiyah
18 Abdulrahman's request for EAJA attorney fees, and does not constitute an
19 admission of liability on the part of Defendant under the EAJA or otherwise.
20 Payment of the agreed amount shall constitute a complete release from, and bar to,
21 any and all claims that Asiyah Abdulrahman and/or Cyrus Safa including Law
22 Offices of Lawrence D. Rohlfing may have relating to EAJA attorney fees in
23 connection with this action.

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25
26 ¹ The parties do not stipulate whether counsel for the plaintiff has a cognizable lien under federal law against the recovery of EAJA fees that survives the Treasury Offset Program.

1 This award is without prejudice to the rights of Cyrus Safa and/or the Law
2 Offices of Lawrence D. Rohlfing to seek Social Security Act attorney fees under
3 42 U.S.C. § 406(b), subject to the savings clause provisions of the EAJA.

4 DATE: March 6, 2017

Respectfully submitted,

5 LAW OFFICES OF LAWRENCE D. ROHLFING

6 /s/ *Cyrus Safa*

7 BY: _____

Cyrus Safa
Attorney for plaintiff Asiyah Abdulrahman

9 DATE: March 6, 2017

10 DANIEL G. BOGDEN
United States Attorney

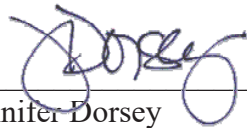
11 BLAINE T. WELSH
12 Chief, Civil Division

13 /s/ *April A. Alongi*

14 APRIL A. ALONGI
15 Special Assistant United States Attorney
Attorneys for Defendant Nancy A. Berryhill,
16 Acting Commissioner of Social Security
(Per e-mail authorization)

17
18 **ORDER**

19 Based on the parties' stipulation [ECF No. 25] and good cause appearing, IT IS ORDERED
20 that plaintiff Asiyah Abdulrahman is awarded fees and expenses of \$2,444.74 under
21 28 U.S.C. § 2412, and any costs authorized by 28 U.S.C. § 1920.

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23 
24 Jennifer Dorsey
U.S. District Judge 3/7/17